

# Order

Michigan Supreme Court  
Lansing, Michigan

September 14, 2007

Clifford W. Taylor,  
Chief Justice

133641

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 133641  
COA: 276029  
Midland CC: 05-002619-FH

JOSHUA KENT DIPZINSKI,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the March 8, 2007, order of the Court of Appeals is considered. We DIRECT the Midland County Prosecuting Attorney to answer the application for leave to appeal within 28 days after the date of this order.

The application for leave to appeal remains pending.

KELLY and MARKMAN, JJ., would remand this case to the trial court to review all of the OV challenges and make a record explaining the score or rescoring and resentencing the defendant.



d0911

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 14, 2007

*Corbin R. Davis*

Clerk